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PATENT  
Customer No. 22,852  
Attorney Docket No. 06478.1447-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Juergen ROEMISCH et al ) Group Art Unit: Not yet assigned  
Application No.: Not yet assigned ) Examiner: Not yet assigned  
Filed: February 25, 2004 )  
For: USE OF ANTITHROMBIN III FOR )  
THE PROPHYLAXIS AND )  
THERAPY OF DISEASES )  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 18, 2004

By: Carol P. Einaudi.  
Carol P. Einaudi  
Reg. No. 32,220

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06478.1447-01	Appln. No.	Not yet assigned
Applicant	ROEMISCH et al.	O I P E C T MAY 18 2004 PATENT & TRADEMARK OFFICE	
Filing Date	February 25, 2004	Group:	Not yet assigned

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	US 5,637,479	June 10, 1997	Rubin et al.			
	US 4,829,054	May 1989	Emerson, Jr. et al			
	US 4,632,981	Dec. 1986	Bock et al.			
	US 6,399,572	June 2002	Romisch et al.			

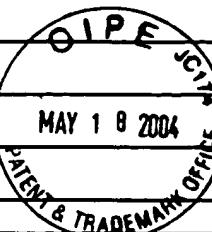
## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	CA 2,124,161	Nov. 26, 1994	Canada	A61K-035	62	No
	EP 0 781 558 A	July 2, 2000	Europe			
	JP96000782	Jan. 10, 1996	Japan			Yes
	WO 00 20026	April 2000	PCT			
	WO 00 54801	Sept. 2000	PCT			
	EP 0 438 234	July 1991	EPO			
	WO 95 31207	Nov. 1995	PCT			
	DE 43 03 646	Aug. 1994	Germany			
	EP 0 629 406	Dec. 1994	EPO			
	EP 1 023 902	Aug. 2000	EPO			
	EP 1 027 894 A2	Aug. 2001	EPO			
	JP09110718	April 1997	Japan			Abstract only

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	E. Engelhardt et al., "Chemokines IL-8, GRO $\alpha$ , MCP-1, IP-10, and Mig are Sequentially and Differentially Expressed During Phase-Specific Infiltration of Leukocyte Subsets in Human Wound Healing," <i>Am. J. Pathol.</i> , 153(6): 1849-60 (1998).
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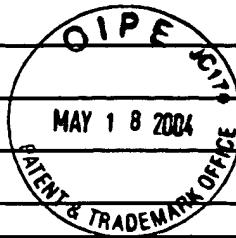
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	U. Koedel et al., "HIV Type 1 Nef Protein is a Viral Factor for Leukocyte Recruitment into the Central Nervous System," <i>J. Immunology</i> , 163: 1237-45 (August 1, 1999).
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	P.C. Carré et al., "Increased expression of the interleukin-8 gene by alveolar macrophages in idiopathic pulmonary fibrosis. A potential mechanism for the recruitment and activation of neutrophils in lung fibrosis," <i>J. Clin. Invest.</i> , 88: 1802-10 (1991).
	A. Matsukawa et al., "Analysis of the cytokine network among tumor necrosis factor alpha, interleukin-1beta, interleukin-8, and interleukin-1 receptor antagonist in monosodium urate crystal-induced rabbit arthritis," <i>Lab. Invest.</i> , 78: 559-69 (1998).
	Abstract: Y.C. Ko & T. Kawai, "Interleukin-8," <i>Rinsho Byori</i> , 43: 329-34 (1995).
	P.L. Bruijnzeel et al., "Eosinophil migration in atopic dermatitis. I: Increased migratory responses to N-formyl-methionyl-leucyl-phenylalanine, neutrophil-activating factor, platelet-activating factor, and platelet factor 4," <i>J. Invest. Dermatol.</i> , 100: 137-42 (1993).
	D.T. Eastlund et al., "Monocyte chemotaxis and chemotactic cytokine release after exposure to hydroxyethyl starch," <i>Transfusion</i> , 32: 855-60 (1992).
	T. Thomas et al., "In vivo vascular damage, leukocyte activation and inflammatory response induced by beta-amyloid," <i>J. Submicrosc. Cytol. Pathol.</i> , 29(3): 293-304 (1997).
	P.S. Salva et al., "TNF- $\alpha$ , IL-8, Soluble ICAM-1, and Neutrophils in Sputum of Cystic Fibrosis Patients," <i>Pediatric Pulmonology</i> , 21: 11-19 (1996).
	Derwent Abstract of DE 43 03 646
	K. Okajima, "The Role of Antithrombin III in Severe Sepsis--Anticoagulation and Beyond," <i>Biomedical Progress</i> , 9 (3): 42-44 (1996).
	L. Ostrovsky et al., "Antithrombin III Prevents and Rapidly Reverses Leukocyte Recruitment in Ischemia/Reperfusion," <i>Ischämia/Reperfusion and Antithrombin</i> , <i>Circulation</i> , 96 (7):2302-2310 (1997).
	X.J. Zou et al., "Antithrombin III Inhibits T and B Lymphocyte Activation In Vitro and Improves Parameters of Inflammation in a Rat Model of Acute Lung Allograft Rejection," <i>Transplantation Proceedings</i> , 31: 847-848 (1999).
	M. Benezra et al., "Thrombin Enhances Degradation of Heparan Sulfate in the Extracellular Matrix by Tumor Cell Heparanase," <i>Experimental Cell Research</i> , 201(1): 208-215 (1992).
	S. Kohno et al., "Disseminated Intravascular Coagulopathy in Infection Compared With That in Malignant Neoplasia," <i>Kansenshogaku Zasshi</i> , 69 (3): 247-253 (1995).
	M. Mattioli et al., "A Regimen for Antithrombin III Substitution in Patients with Acute Lymphoblastic Leukemia Under Treatment with L-Asparaginase," <i>Haematologica</i> , 76 (3): 209-214 (1991).
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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	H. Shinya et al., "Antithrombin III Prevents Blood Pressure Elevation and Proteinuria Induced by High Salt Intake in Pregnant Stroke-Prone Spontaneously Hypertensive Rats," <i>Biological and Pharmaceutical Bulletin</i> , 19 (6): 819-823 (1996).
	European Search Report, EP 00 11 4354, December 27, 2000.
	S. Dunzendorfer et al., "Cell-Surface Heparan Sulfate Proteoglycan-Mediated Regulation of Human Neutrophil Migration by the Serpin Antithrombin III," <i>Blood</i> , 97 (4): 1079-1085 (2001).
	B. Redens et al., "Synergistic Protection From Lung Damage by Combining Antithrombin III and Alpha <sub>1</sub> -Proteinase Inhibitor in the <i>E. Coli</i> Endotoxemic Sheep Pulmonary Dysfunction Model," <i>Circulatory Shock</i> , 26 (1): 15-26 (1988).
	European Search Report, EP 00 11 4354.4, March 30, 2001.
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	Warren et al., "Caring for the Critically Ill Patient. High-dose Antithrombin III in Severe Sepsis: A Randomized Controlled Trial," <i>JAM</i> , 286 (15): 1869-1878 (2001).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce